

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MICHAEL TAYLOR,

v.

MICHAEL J. ASTRUE, Commissioner of
Social Security.

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3:06-0596

ORDER

Before the Court is the Report and Recommendation of Magistrate Judge Bryant in which he recommends affirmance of the decision of the Commissioner. The Plaintiff has filed timely objections which the Court has considered.

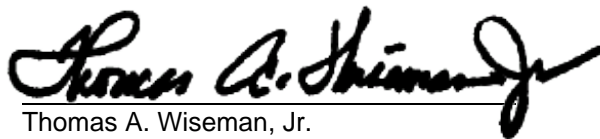
The Administrative Law Judge in applying the sequential evaluation process stopped after step 2. That step requires the Plaintiff to demonstrate “an impairment which significantly limits his ability to work (a ‘severe’ impairment), and if he fails to do so, then he or she is not disabled.”

The Administrative Law Judge found that Plaintiff’s impairments were not “severe.” This finding is supported by substantial evidence. The Administrative Law Judge weighed the competing diagnoses of Dr. Pettigrew and Dr. Anchor and found the weight of the record evidence, including Plaintiff’s work history, supported the assessment of Dr. Pettigrew.

The absence of sufficient medical evidence of a “severe” impairment requires a finding of not disabled.

The Commissioner’s decision is AFFIRMED and the case DISMISSED.

It is so **ORDERED**.



Thomas A. Wiseman, Jr.
Senior U.S. District Judge